

# **Assault With Actual Bodily Harm: A Victim Living In Fear**

*A 15 year old boy assaulted a 17 year old  
boy, causing Actual Bodily Harm.*

*The victim was terrified of what would  
happen if he saw the offender locally*

15 year old Tom was a very tall, stocky and strong boy. He was convicted of the assault (with Actual Bodily Harm) of another boy who, although older, was much slighter in build. The assault happened after an argument about some girls and Tom was given a 20 hour Action Plan Order and a referral to the victim-offender mediation service. 2 trained mediators met with Tom and discussed the possibilities of mediation between himself and the victim. The mediators had to work hard to get Tom interested and involved, yet with the knowledge that this work had to be victim led.

## **The Victim's Story**

The mediators then met the victim, Shaun, who was 17 years old. Shaun's entire family was present at the meeting and it was clear that they had all been devastated by the offence and were still living in great fear and anxiety. Shaun's mum and dad were especially concerned because since the offence there had been a number of times when Shaun bumped into Tom in the town centre. Verbal threats had been made towards him along with a 'cut throat' sign. This terrified the whole family and left them concerned about what the future might bring. The mediators spent a lot of time listening to the family, as each individually expressed their fears and concerns. The first priority, as mediators, was to be honest and help the family see that this case was reliant on Tom being willing to hear from the victims. It was important the family realised that the mediators did not have a miracle cure to offer. Through discussion it was agreed that Tom should not know everybody's intimate concerns in case this led to further offences. Also, the family did not want Tom to become empowered by knowledge of personal details. It was agreed that what all the family wanted, including Shaun, was some assurance that he would be left alone in the future. The mediators agreed to go back to Tom and tell him a little of the family's concern. Tom would be asked to think about this and perhaps write something down about his future intentions towards Shaun.

## **The Offender's Story**

The mediators then met with Tom and talked about the offence. Tom appeared to imply that he was laughing at the victim because Shaun was older than him. Tom was asked if he was frightened of anything. His first reply was, 'No!' However, on further investigation he admitted that he was frightened of spiders. The mediators asked him if there was any difference between the fear of spiders and the fear of an individual. After working with Tom for some time the mediators asked what his intention would be if he were to bump into the Shaun again. (They did not mention that they knew that

this had already happened). Tom said that it was all over now and he was 'not going to get him'. It was suggested that he might communicate his feelings towards Tom in some way – provided that he meant it.

### **The Outcome**

Tom did this – he wrote a letter to Shaun with the agreement that the mediators would pass it on. The mediators hoped that this would at least 'break the ice' between the 2 boys. However, one mediator fell ill and it was not possible to meet Shaun and his family for another 10 days. When they eventually met again, as they entered Shaun's front room they got a surprise. The whole atmosphere was completely different. Shaun and his family explained to the mediators that since their last meeting, Shaun was riding his bike into the town centre and was flagged down by Tom and his friends. Tom's friends shouted, 'Go on, hit him, hit him!' To the amazement of Shaun, Tom turned around to his mates and said, 'No, I won't!' He put out his hand to shake hands and said, 'It's all forgotten.' Shaun and his family felt excited that this had happened. They were amazed.